

PATENT
Serial No. 09/804,003
Amendment in Reply to Office Action of October 4, 2005

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendment, the current Abstract and the specification have been amended for better conformance to U.S. practice and to correct typographical errors.

In the Office Action, claims 1, 2, 6-8, 12-15 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,608,633 (Sciannarella) in view of U.S. Patent Application Publication No. 2002/0199194 (Ali). Further, claims 3-5, 9-11, 16-18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sciannarella in view of Ali and U.S. Patent No. 6,481,011 (Lemmons). In response, claim 1 has been amended for clarification. Claim 1 was not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. It is respectfully submitted that claims 1-20 are patentable over Sciannarella, Ali and Lemmons for at least the following reasons.

Sciannarella is directed to a method and structure for the display of categorical information on a display screen. The

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categorical information is displayed primarily based on selected measurement value of volume of programming or frequency of use at any given time. As correctly noted by the Examiner, Sciammarella does not teach or suggest computing a rating of a category of the first level as a function of ratings of subordinate categories of the second level, as recited in independent claim 1, and similarly recited in independent claims 7 and 14. Ali is cited in an attempt to remedy this deficiency in Sciammarella.

Ali is directed to a system and method for making program recommendations to users of a recording system. The Ali system makes recommendations based on expressed preferences of a user, as well as based on collaborative filtering and Bayesian predictive algorithms. Television programs are rated using a graphical rating system. In particular, 'thumbs up' and 'thumbs down' ratings are used. As recited on page 4, paragraph [0032], lines 6-9:

provision is made for distinguishing between user-assigned ratings and predicted ratings assigned by the system. Separate, similar, but distinct icons are provided for user ratings 71 and predicted ratings 72. (Emphasis added)

As clearly shown in FIG 7, the user ratings 71 are different from the predicted ratings 72.

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On page 3 of the Office Action, FIG 5 of Ali is referred to for showing computation of a category as a function of subordinate categories, where it is alleged that the 'one thumbs up' rating of the "All Category" shown in FIG 5, is the average of 5/9 of the sub-category ratings rounded up to one. Assuming, arguendo, that this allegation is correct, it is respectfully submitted that this 'one thumbs up' of the "All Category" shown in FIG 5 is a user ratings 71 as is clearly seen from the shape of the icon in comparison with FIG 7, as noted above. That is, the 'one thumbs up' of the "All Category" shown in FIG 5 is NOT computed by the system, as it does not have the shape of predicted ratings 72 shown in FIG 7.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 7 and 14 amongst other patentable elements, requires:

Computing by a user profile module a rating of a category of the first level as a function of ratings of subordinate categories of the second level. (Emphasis added)

This feature is nowhere taught or suggested in Sciammarella and Ali. Lemmons is cited to allegedly show other features and

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does not remedy the deficiencies in Sciammarella and Ali.

Accordingly, it is respectfully submitted that independent claims 1, 7 and 14 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6, 8-13 and 15-20 should also be allowed at least based on their dependence from independent claim 1, 7 and 14.

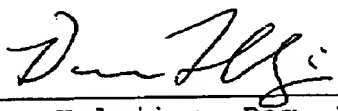
It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited. Please direct all future correspondence related to this application to:

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Respectfully submitted,

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Enclosure: Replacement Abstract

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REPLACEMENT ABSTRACT

~~The invention relates to a~~ A method of rating database objects, such as broadcast programs in an EPG database includes categorizing. ~~The objects are categorized in~~ accordance with a multi-level category scheme with a first level of categories and a second level of categories subordinate to a respective category of the first level. The rating of a category of the first level is computed as a ~~function~~, function, for example the average, of ratings of subordinate categories of the second level. Ratings are visually represented as different colors or different degrees of saturation of the same color.

~~Fig. 2~~